GREAT SCANDAL

Conclusion of the First Scene in the Case.

Moulton's Direct Evidence All Taken.

"IT WOULD KILL SAGE."

The Mutual Friend Calm Under Cross-Examination.

YOU WOULD AND YOU WOULDN'T.

The Storm Lessening the Attendance of Spectators.

The snow storm, fast and fine, on Monday, the third week of the trial in Brooklyn, discouraged in part the curious crowd which was all along been attending Court, and besides, the number of tickets has been restricted. A portion of the Bar has been circulating a petition to the Judge to sively. This is not regarded as a movement against the press reporters, but against the Plymouth attendance, which generally consists of thirty to forty able-todied men, scated in the conspicuous seats just benind Mr. Beecher and his Three pages of signatures had been obtained for this petition during Saturday and Sun-day. The counsel now take up nearly half the porters and temales the remainder.

Yesterday four ladies came into court, Mrs. Tilton leading. She walked briskly and looked rosy after the snow. A red shawl gave her less formality than in the elaborate velvet mantle she had previously exhibited. After the fresh color raised, to be somewhat sallow, and, indeed, more worn than an at any former time. One of her favorite expressions was folding her under lip under her front teeth. Mrs. Field took the commanding position at her right, and her black plume was three inches taller than any sitting and Mrs. Shearman, on the other side, was a new figure to the reporters, and rumot ran that it was Bessie Turner, but she was afterward discovered to be Mrs. Raymond, wife of a natural-

Mr. and Mrs. Beecher and sons were conspicuous by the four empty chairs provided for them between Assistant Pastor Halliday and Dr. Hodre, of the Mariners' Baptist church. The floor manager, Mr. Caldwell, was quiet and observant yesterday, and passed no bouquets to the females. of the usual sympathetic roses, and not a blossom nor sprig of green appeared in the auditorium. Mr. Tracy spoke to Mrs. Tilton before court opened and then took his seat in the semi-circle row-with Mr. Titton's counsel.

with a yellow morocco bag and a silk umbrella. His worldly, business face appears to grow keener as his testimony proceeds. His nose is one of the most wedge-like of features, incisive or insinuating, but a really strong and handsome feature, the best he has to show. Under this the long, sweeping, brigandish red mustache curls down over the ends of the mouth, and leaves exposed merely the keen, comely chin. He was exceedingly polite to Mr. Evarts, and sipped of a glass of water now and then, and gave his narrative almost like a lecture on some scientific subiberately constructed that Mr. Tracy looked at the jury studiously, they, meantime, all agog and loiowing Moulton with the utmost care. Sometimes be made a short on ture with his open paim upon repeated, as if he preferred Fullerton to give it to

Theodore Tilton, wearing a dark-brown, rough overcost, sat at Fullerton's elbow all day, his eyes large yellow envelopes, all numbered and their contents abbreviated upon the back. Behind him was a gray, baid, spectacted old man, who carefully read a printed pamphlet of the case as conwas understood to be Frank Moulton's father: but te resembled Moulton very little, except that he was of cowerful trame, bold taws and took a cool interest in the case, not unifke Moulton's.

Among the strangers in court was Judge Wilson, of Chicago, who occurred a place bestite Chief Justice Netison-an erect, spectacled man, bald and good-looking, and suggesting the general style of doctor of divinity. Assistant District Attorney Rawlins, of New York, was present; also ex-Judge Garrison.

There was one sharp scene during the day, arising out of a mistaken effort of Judge Pallerton to in-troduce a letter written by Mr. Clark, the editor of the Golden Age. About the time the defence desired to see this letter introduced Mr. Moulton mony, and saving that he could not swear he had ever shown this particular letter to the defendant. Mr. Evarts made a hard fight to throw the witness into his first position, but he was calm as a May

Rev. Dr. Ingersoll, of the Harrison street Dutch Reformed courch, was in court in the afternoon. Mr. Ful erton, with his red hair, and Mr. Evarta, with his pepper and sait colored mair, when mutualty excited, looked like a pair of casters containing the red and black peppers. The proceedings lost very much of their personal interest by the absence of the Beechers. There was little or no play of countenance during the trial. Yeslerday's proceedings were occupied for two

hours and a half with Moulton's direct testimony. As the time approached for Mr. Moulton's crossexamination to begin a sense of expectancy and apprehension came over the audience. It was beeved that Moulton would suffer the extreme vergeance of the detence, and murmurs were heard among listening members of the Bar :-

"Now we shall see the worst edge of the defence and measure their ability to harm Moulton in the next thirty minutes."

The cross-examination of Moulton was of a very formal and stately sort, stronger in report than In chlore. It did not make the least impression on Moniton. He did not grow cold under it nor at all frittated, and his politeness to the cross-sxaminer seemed to be a natural politeness, arts. ing from his sense of admission that it was the

counsel's right.
If he had been sharp and sequential before, he was, under this examination, sober in every faculty and alert in every pore. His manner did not perceptibly change. He was in no sense discomposed by the ghostly challenges of Julge Porter, and the want of consecutiveness and grip about some of Porter's questions seemed to be derived from some of the embarrassment be had from the frequent suggestions of Mr. Tracy, standing begind him. If Porter understood the case absolute to the inquisition; for so exalted a style of interrogatory could not be sustained in dignity with another interiocutor. I robably Mr. Tracy, unassisted, could have carried on the questioning successionly. But a dramatic magner requires

The theory of the defence apon this cross-examination appeared to be ingenious. It was to produce Mr. Beecher's pleading lotters to his art negrateful friend, and, having read them

once in an invidious light-before the jury. In brief, [to say, "Did you refuse to give up Mr. Beecher's own letters to him at his pitcous prayer that he might have them to defend himself, while giving them to his enemy!" And then, having put this leading question, to read the letter in all its elo

The intent was defeated by its informality. The Judge ruled the letter out as Mr. Beecher's statement of what might have occurred but was not proved. The reading of the letter, too, was over-done and passed in style from patnes to bathos. reading, resolved upon a poticy of perfect politeness, and this was the best foil be could have used, as its courtesy often threw Judge Porter of his

Mr. Beecher's magnanimity in keeping out of court during what might have been the trying scene for his young opponent was generally abpreciated. He has no love for cruel scenes, and spared Moulton the sight of his enjoyment.

To-morrow may be a rough day for Moulton, but if his pulse beats as eveniy as yesterday he will escape with no life scars.

Judge Morris, at the conclusion of the day,

called the Judge's attention to a court interloper among counsel for plaintiff, who was in a posi-tion to hear everything they had to say together.

THE EVIDENCE. Francis D. Moulton testified-This paper you have shown me is my first statement to the com-mittee; it was prepared for the committee at their meeting of July 13.

Mr. Evarts—How is this material, Your Honor?

Air. Everts—How is this material, Your Honor? This is no part of any res gesta that I know of. The paper was introduced to the attention of the witness as we were about adjourning, as to what was called the first statement which Mr. Moulton prepared for some pending investigation that was in progress. Now, of course, that is not evidence in this case. If it was Mr. Beecher's statement then we can understand it as evidence against Mr. Beecher's

Beecher.
Mr. Fulierton—The gentleman's objection is prem-

Beecher.

Mr. Fulierton.—The gentleman's objection is premature. I have not offered the statement rat in evidence. Nor have I given the preliminary proof before I design giving the statement in evidence. But if that preliminary proof is insufficient, then the gentleman can object.

His Honor—It appeared that you were about offering it, and I thought you were.

Mr. Fullerton—But I bave not yet offered it.

His Honor—It thought I would give you the opportunity of narrowing the circle.

Mr. Fullerton—But I don't want to close the circle unit the proof is in.

Mr. Moniton resumed—I read the statement to Mr. Beecher at my house in Remsea street before I sent it to the committee; I said to Mr. Beecher that I had an invitation to appear before the committee and I read the statement and asked his opinion about it; he said it was an honorable one; and afterwards when I went down stairs my wife asked me what Mr. Beecher thought of the statement, and I said to her he thought it was an honorable one; Mrs. Moulton then asked Mr. Beecher if he thought it an honorable statement and Mr. Beecher answered "Yes, he did;" I then told him that Mr. Titton concurred in it.

A LEGAL POINT.

Judge Pullerton then said, "I now offer it in evi-

Judge Pullerton then said, "I now offer it in evi-Judge Pallerton then said, "I now offer it in evidence."

Mr. Evarts objected on the grounds that it was stoutton's statement and that they did not know whether the statement contained any facts at all.

Mr. Evarts added:—"It is not in evidence in any issue in this case, and if it is submitted we will take an exception."

Judge Fullerton said he was surprised that the learned counsel should confess that he does not know what it contains, as, if he had petused it he would see it becomes an important piece of evidence. It not only states lacts, our shows a disposition on the part of Mr. Beecher to throw obstacles in the way of an investigation.

Judge Nailson—I think it will have to be ruled out.

Mr. Fullerton-Will Your Honor rule so on the

question:—I propose to be heard on that question. Judge Nellson—I cannot understand now this paper can be material.

Judge Fullerton—Why, sir, one strong argument to be made by the other side is to show that Mr. Beecher courted an investigation, therefore its Important for us to snow that he was secretly try-

ing to suppress it. I also states faces in which Mr. Becarts—size has not said that.
The stenographer then read the evidence for Mr. Evarts' benefit.
Mr. Beach then argued in favor of its admission, and cited as authority the case in the 56th of New York.

ork.
Judge Neilson—The other papers have been read
rithout objection. The reading of the paper is
not objected to, but the admission of it in evileuce is. The simple question is whether the
aper is admissible as having been approved by

e defendant. Mr. Evarts-If the paper is admitted in evidence Mr. Evarts—If the paper is admitted in evidence its entire harmlessness as adecting the case itself with be apparent; but nevertheless the question arises for counsal whether matters not pertinent to an issue, which do not come within the scope or range of what is pertuent, whether evidence of this character should be admitted, because it is not injurious, is a question with which counsel have something to do. Here is a statement of Mr. Moulton, who occupied the position of a witness, notified to attend before a church examination which had no compulsory power over time. He didn't go there as a witness, but he prepared a statement which was to be, for the present at least, an answer for his not testifying, and he read it to Mr. Beecher and asked bins if he thought it was an honorable statement for him (Mr. Moulton) to make in his besaid, and for that purpose, and then Mr. Moulton had an interest in essing the question, and the result of it is, no doubt, as it stands, that Mr. Beecher had this short statement of half a page read to him, and said it was an honorable statement for him to make and, if you please, concurred in the propriety of making it. please, concurred in the propriety of making it.
That is all that is pretended.

Judge Fullerton then said Moulton stated some
facts that bear upon the issue.

Mr. Evarts was not satisfied and made some

Ant. Evants was not satisfied and made some other objections.

Judge Fullerton then said the paper becomes exceedingly important as a proof that Mr. Becomer made efforts to suppress investigation. He then read an extract from the case of Keily vs. the State of New York, 55th New York, 56th page 77, that he said litustrated their view of the case.

Judge Neison—I still think that it this instance it was understood that the witness was to make a statement to a committee. It appears that this statement bud seen prepared and was to be submitted to Mr. Beecher. We had in view the fact that Mr. Acouton was to make this statement bud seen prepared and was to be submitted to Mr. Beecher. We had in view the fact that Mr. Acouton was to make this statement, and, of course, the statement was from his standpoint of view. I think the case is pretty much the same as an insuance, where the witness testifies adverse to him, differing from your views; it was honorable testimony on his part, but it is not at all in the same direction as that upon the part of the defendant. I still think I must rufe it out.

Mr. Beach—We except.

was nonorable testimony on his park, but it is not at all in the same direction as that upon the part of the defendant. I still think I must rufe it out.

Mr. Beach—We except.

Judge Fullerton sand:—"I shall offer parks of it," and after considerable discussion with the opposition counsel, proceeded to read as follows:—

I regret for your sakes the responsibility imposed on me of appearing here to high. If I say anything, I must speak the truth. I do not believe that the simple curiosity of the world at large, or even of this countait tee, ought to be gratified through any restation by me of the facts which are in my possession, necessarily in considence, through my relations to the parties. The bersonal differences of which I am aware, as chosen arouse, have once been settled honorably between the parties, and would never have been revived except on account of recent attacks both in and out of Plymouth cameric, made upon the character of linedore lifton, to which me thought a roply necessary, if the present issue is to be estaded it must be, in my optimon, by the parties themselves, clahar together or separately, before your committee, each taking the responsibility of his was the truth, the set of the parties and extended. I shall be conversant with the parties are themselves, I shall be used to make the more of the parties are themselves, I shall be used to make the parties may be the still be partied in the before pronouncing its pulment with reference to either. I therefore suggest to you that the parties first be heard; that if then you deem it necessary that I should appear before you deem to necessary that I should appear before you deem it necessary that I should appear before you first be under the truth, the whole truth, and nothing but the truth is responsible, and for which he did spoingite in the language of the letter, part of which has been quoted."

Judge Neilson—The same ruing.

sary to abblogize, and for which he did spologize in the language of the letter, part of which has been quoted."

Judge Nellson—The same runing,
Mr. Fullerton—'That he should have stated frankly that he deemed it necessary for Mr. Tilton to have made the defence against Dr. Leonard Bacon which he did make, and that he (Mr. Beecher) should refuse to be a party to the reopening of this painful subject. It he had made this statement, he would have stated no more than the truth, and it would have saved him and you the responsibility of a further inquiry. It is better now that the committee should not report; and, in place of a report, Mr. Beecher himself should make the statement which I have suggested; or that, if the committee does report, the report should be a recommendation to Mr. Events—My learned friend has read every particle of this paper except more surface matter. Judge Fullerton and Mr. Evarts then had a single passage at arms that excited the laughter of the Bualence and drew a reprimand from the Judge.

herge.

Mr. Evarts' cold and ringing sentences made
he plaintiff's wife look up when he announced that ethe parden of responsibility is upon the plaintiff to prove nothing out the adultery of his wife." Mrs. Tilton followed him closely, looking at nooody else, her mouth closed firmly and her eyes frequently winking. Judge Pulierton was very quiet in his pleadings and Mr. Everte, equally cool but a little sharper, carried his initial point. ruling out Moulton's short statement. For the first time the resources of the library were applied by Mr. Beach, quoting from the case of Kelley in New York State reports, which seemed to be a tollittle prevish at so much resding. The Judge, nevertheless, in a little speech, raied out Moni-

reverse and his counsel noting the first exception. Moulton looked dissatisfied. Pryor appeared to be mad. With a good deal of shrewdness and pertinacity on Fullerton's part and a show of blood wrath on Beach's, the plaintif, nevertheless, got the material part of the statement before the jury. Mr. Tracy smiled, however, as the Judge successively raied out his up at last and said in effect that this was sparp practice. The rapid passages of sarcasm, partly ingry, partly triumphant, which ensued startled the gallery, and laugater rolled round the Court. begun well this morning, and they laughed again. was so rapid as to appear like self-management of the case. With so glib a witness and a shrewd the defence had to be very slort to keep out any testimony whatsoever. The jury was very much

BECHER CONCURS.

Moulton—The Bacon letter had been published in June; Mr. Beecher had a conversation with me about it; I said to Mr. Beecher, I have said from the first that this Bacon letter offered a basis for reconciliation, on the ground of the introduction of the word offence, and the reason I have followed the line I have in this stituement is that I wanted to go no further than that, and then he said, "I concur in the propriety of that statement;" after mearing my reasons for it he said, "I concur in the propriety of that statement;" after mearing my reasons for it he said, "I concur in the propriety of that statement;" and I said, "Mr. Beecher, you consider it honorable," and he said, "Nr. Beecher and myself with regard to the publication of the correspondence between Mr. Beecher and the committee; on July 5 we had a conversation, when he said he should have the maning of the committee; between July 12th and 20th I saw him several times; he read to me from a paper what he was wring to state in regard to Theodore Tilton; the substance of it was that he took upon himself great blame for his conduct foward Theodore Tilton and his hamily, and exonerated Theodore Tilton from all blame, so far as concerned Tilton's action from all blame, so far as concerned Tilton's action foward himself; and I said to him, "Mr. Beecher, I think that I may be able to induce Theodore Tilton not to write the statement that he is writing if I express to him july the ground that you take in regard to him, because I cablt see that you that I may be able to induce Theodore Tilton not to write the statement that be is writing if I express to him july the ground that you take in regard to him, because I cal't see that you can do anything more, unless you confess absolutely to the committee the crime which you have committee against him and his lamily, and I will try to inducate Tilton upon the basis of what you have told me?" and his said. "Theodore publishes the jact of my relations with Mrs. Tilton it will ruin me, but it will also kill me," and he wept in expressing to me at that time his sorrow for the crime he had committed; it, sir, was deciply alected myself with his presentation of his confrition, and I went to Theodore Tilton and told him that I thought he should not write the document which he was preparing it he intended in that document to state, as he said he had in the Aryus newspaper, the fact—that he ought not to do it; no reference was made then about a proposed report; I saw Mr. Beecher again between July 12 and 20, and I told him that Theodore seemed to be obdurate, and that I should probably have to treat him as I treated him before, let him work himself out and try to prevent publication, or cannies the form, if I could, of the Dresentation; and I said to him, "Mr. Beecher, isn't there any member"—I said to him, "Mr. Beecher, can's we get out and try to prevent publication, or change the form, if could, of the presentation; and I said to him, "Mr. Beecher, isn't there any member"— I said to him, "Mr. Beecher, isn't there any member"— I said to him, "Mr. Beecher, can's we get an adjournment of the Committee of Investigation? If the is worth more than anything else ut this business to faton;" and he said he would try to get a postponement of the meeting wanch was caned for the tollowing Monday, and said he would write to Mr. sage, to procure a postponement; and then I asked min it agricular new that occurred to him since my last interview with him; and he said "No;" and I told him. "Mr. Beecher, I can't recommend you to make any report to that investigating committee, suith I can get Theodore filton to commit himself to what you shall say;" he was lying on his bee at the time, and he rose and went to his bureau and took a piece of paper and wrote a form of proceeding, something like this: "Mr. Beecher naving made a statement, and all being satisfactory—"

Mr. Evarts (interrupting)—The paper.

Mr. Evarts (interrupting)—The paper.

Mr. Fullerton—I will satisfy you.

Mr. Pullerton—I is easier to do that than to satisfy you—a good deal.

Mr. Moution countened—The statement of Mr.

fy you-a good deal.
Mr. Mouston continued—The statment of Mr.
econer being read, it striking favorably, then
ord was to be sent substantially thus to the

word was to be sent substantially thus to the committee.

The paper was then handed to Mr. Evarts, at his request, and was afterwards read by Judge Fullerton as follows:—

I have been three years acting under conviction that I had been wronged, but, was mader the imputation of being the indurer. I learn from a triend that Mr. B. in his statement to you has reversed this, and has done in listic. I have willner, should be consoni, to appear before you wish him, and proposing the further statements which i left it to be my duty to make for my own that after it to be my duty to make for my own the ance, to settle this paintal domestic difficulty, which never ought to have been made public, finally and smoothly.

merer ought to have seen made public, finally and amoably.

Mr. Moulton resumed—I said to Mr. Beecher "Is
there not any member in that committee beside
Mr. Tracy to whom you could tell fine truth, or to
whom Mr. Trany can ten 4t, in order that they
might golde the action of the committee properly
with reference to the fact itself? Couldn't you
tell Mr. Sager!" and he said, "No, it would kill
him;" he said it almost killed him when he told
him that he had been guilty of an offence—when
he made the expranation that he did to him of
that, "West," I said, "It is too bad you have not
one friend in that committee to whom you can
tell the truth. What is the use of your friends?!"
That is the suostance; that is the substance of
what occurred.

APRAID OF KILLING SAGE.

AFRAID OF KILLING SAGE. Beecher if there was no man on the commitsee of the church to whom he could safely tell the truth, there was a little laughter, followed by sensation. When Mr. Beecher, according to the witness, replied, "That If he should tell Henry W. Sage it would kill bim" (Sage), the Plymouth audience grew seriously attentive and Tracy were his occasional flere look. Plaintid's counsel looked very well satisarmed with a cito, to keep Mr. Evarts from get ris got around in the rear of Fullerton and repeatedly hissed a question into his car. "SHOW IT TO THEODORE."

Be asked me to snow the paper to Theodore, and I did snow it; I told Mr. Beecher siterward that Theodore remaked to consent to make himself out the victim of a bailuchaston; that was all; Mr. Thiton published this card on the 20 n; no, he did not published this card on the 20 n; no, he did not published this card on the 20 n; no, he did not published this card on the 20 n; no, he did not published this card on the 20 n; no, he did not published this card on the 20 n; no, he did not published this card on the 20 n; no, he did not published this card on the 20 n; no, he did not published this card on the 20 n; no, he did not published this card on the 20 n; no, he did not published this card on the 20 n; no, he did not published this card on the was prepared in the six published this card on the winting of the committee; I submitted a paper to him to at Thiton had prepared and expressed his wilningness to abide by; this report was to be made before these proposed statements; Mr. Beecher said to me, "Will Theodore stand of this did not published the said the one; it was then arranged they were to go before the committee and make their statements of offence; I do not refer to the statement of Mr. Beecher just read; that report when I have just handed to you was a report prepared by Theodore and I said to Arr. Beecher, "I will show to you the letter winch theodore has prepared on this sabject, and it it hadn't been for the correspondence and the describing upon the publication of the lacts." That was before Thiton's statement had been given to the committee; I showed Mr. Beecher the proposed report of Mr. Thiton by his wife he would not have been in the augry mood that he is in to day, insisting upon the publication of the lacts." That was before Thiton's statement had been given to the committee; I showed Mr. Beecher the proposed report of Mr. Thiton; I said of Mr. Brecher that after Mrs. Titton had made her statement to the committee, and so presented to me the influence which her statement had hen ger of Theodore Mrs. Iliton; that he was periecily while, if Mr. Beecher would take great daine upon himself, exonerating Mr. Iliton from dishonorable conduct and reneve him from any injustice toward aim; that he (Ibedoore Tilron) was periecily willing to settle the matter without making any accusation before the committee, and that he had prepared such a report for the committee to, make, and that he had prepared he had shown it to General Tracy, who had said to me on the evening of the conferration to which I refer that the committee was no ofence, and that he thought it would not be hard to get from that commettee a report unavorable, it is true, to Mr. Beecher, on, the ground of an offence, but which would feasily settle the whole business and save all the parties concerned from dishonor in couse-quence of crime; that is all; the letter you have just handed me is the one ispoke of; there were two, one short one and one long one. The other report was not shown to General Tracy; this paper! sow hold is the other report, prepared by Mr. Tilton.

Mr. Fullerton—I now offer this report in evidence:

The committee appointed to inquire into the offence and apolegy by Mr. decener, abunded to in Mr. Fillon's letter to Dr. hadon, respectfully re-out that upon examination they find that an offence of grave character was committeed by Mr. Beecher against Mr. and Mrs. Theodore filion, for which he unde a suitable apology to both paries foed viving in ceture their forgiveness and good will. The committee nature report that this seems to them a most came only farthers way for the settle ment of differences, and redects honor on all the paries concerned.

I said to Mr. Beecher that that was what Theodere had been willing to do, and I hoped that he would bill deather to set in that way; and Mr. Second

said, "Do you think be will?" I taid, "I hope be will." Mr. Tracy stated that Mrs. Tilton mad spoken highly of her husband before the committee.

Art. Evarts then remarked that "the wilness has said there was another statement also there." Mr. Monfron—No, sir; I did not say there was another statement before me; but I spoke to him about another statement Mr. Tilton was withing to make, but I did not have it with me at the time I had this one; I think it was the long paper that was shown to Mr. Tracy, not the short one; the paper you have just handed me is the card published by Mr. Tulton in the Argis.

Judge Pullerton—i offer it in evidence.

Mr. Evarts objected; but as Judge Fullerton proposed to snow how it was in evidence.

The wisness continued—We had a talk about the card; I tolk Mr. Beecher that Mr. Tilton would never have written that card had it not been for the correspondence of the committee and his trouble with one wife it, and to Mr. Beecher, "Don't you know be influence that woman has had over him, and if you keep her away from him it will only incesse him?" and he said, "That can be arranged, if that other matter was only settled;" the matter reierred to was her state—

A FLUTTER When Mouiton testified that he told Mr. Beecher the abduction of Tilton's wife was a bad movement, because of the influence she had been perpetually exerting over Tilton to suppress their secret, there was a futter among the women, who seemed to feel that their sagacity in surrounding tioned. Mrs. Field, leaning forward, listened and not uncommon in the Society of Friends

she is a member. Mrs. Tilton was presently whispered to by the others, and she smiled incredulously, as if resenting with the others own house. The witness having stated that the within a month after that date he had a conversa-Golden Age, there was a pause, both sides of coun-sel consulting together. In the midst of it Moniton happened to make a remark, when Ar. Evarts bounced up and confronted Moulton as if he nad committed the unpardonable sin :- "What is that, Mr. Witness ? No. sir !"

Moulton, imperturbable, answered with the most politeness that he had merely wished to disficient recollection as to who had been witnesses of the papers under discussion. Mr. Tracy was also up, towering behind Evarts. Moulton released himself without trouble from a dilemma which the audience could not understand. The testi-

mony then continued:—

THE GOLDEN AGE.

Mr. Clark was an assistant editor with Mr. Tilton in the Golden Age newspaper, published in New York by Throdore Thion, started in 18th, in the month of Marcar; it is still published; I had a conversation with Mr. Beceiver about the Golden Age before the paper was started; he said he hoped that Throdore would be successful in the enterprise, and that he would like to aid in escaphishing the paper; and I toin Throdore or that; Theodore said to me that he could not receive any aid from Mr. Beceiver, and that was the lirst conversation that I remember about it; I had a juriper interview in the content of the conversation that I remember about it; Theodore shall to me that he could not receive any and from Mr. Beccher in establishing the paper; so I told Mr. Beccher, and that was the paper; so I told Mr. Beccher, and that was the paper; so I told Mr. Beccher the paper was drazzing and Mr. Beccher the paper was drazzing and Mr. Beccher the paper was drazzing and Mr. Clark was trying to manage something about its purchase, that Theodore lett badly about its condition, that he wanted to write a book; Mr. Beccher said as wonted to write a book; Mr. Beccher said se would take to help the paper, now you could subserious any money to the Golfen Agg; Told aim that Mr. Takon would not take any money from him, and would not allow me to take any money directly or indirectly, and I did not see how it was possible for him to do anything, and that the matter had better be dismissed; I saw him subsequently, and the offer was renewed from time to the down to May, 1873; Mr. Beccher said to him between lanuary 4 and May, 1873; In some other conversation that he thought I could take some money and give it to Theodore as my own, and he would like to have use do it; I told min that I did not want to do it; that I could not tonorably in my offinion; "well," he said, "certainity oread cupit to take some money from me and feed it out;" that he could get a mortgage upon his hoose readily and give me \$5,000, and 4 son, "Well, I don't want to take at," but afterward I did take it, and I did feed it out to the Golden Age and to Preceder; I told Mr. Beecher that Titton was at work on his book, and he was very gind of it, and he said he was very gind of it, and he said he was very gind of it, and he said he was very gind of it. That Five Thousand Dollars.

When Moulton related the receipt of \$5,000 from THAT FIVE THOUSAND DOLLARS.

Mr. Beecher in bils for the support of the Golden outh church circle and in Titton's iaca. It was the most delicate bridge Moulton and Triton had to cross. Mr. Moses Y. Beach was all ag'ow and grinning when Moulton acknowledged the receipt his eye, Mr. Tracy was keen as a foxhound and Pryor looked down sensitively catching the periods o: Moulton as they sell. Observing this, M raised his voice, drank a glass of water, testiand between the sips, and then he and Tracy, intently gazing at each other, went at it. Moulton related that Tracy had attempted to make him (Moulton) keep Tilton silent by the delicacy of Mouston here fired up and said that if anything could not have made him suppress Tilton it would be such a threat against his own integrity. Tracy said something in an undertone. The jury their chairs. Moulton continued, clear and slow. to make Tilton a mere lay figure in the transaction and himself the almoner of the pastor of Plymouth, scarcely letting his left hand know what his right hand did. It was the most impres-

what his right hand did. It was the most impressive feature of the trial.

The amount was \$5.000, given me in bills: I did not givet the min at at once; Theodore Thton did not know I received that money from Mr. Beccher; he did not learn it until the publication of my statement, which told all about it; I never communicated it to him; I told ar. Beccher that Mr. Tracy wanted me to communicate with him in order to prevent the publication of the statement; Mr. Tracy wanted me to communicate with him in order to prevent the publication of the statement; Mr. Tracy wanted may house before the publication of Thton's of July 20; Mr. Beecher was not there, but I told him about it; I told air. Beecher that Mr. Tracy wanted me to communicate the fact that I had received \$5.000 from Mr. Beecher for Mr. Tilton in order to stop him (Mr. Tilton) from the publication of his statement; I said Mr. Tracy winted me to tell Mr. Tilton that that would be a serious embarrassment to me in consequence of my having received that money, and I said to Mr. Beecher that I told Mr. Tracy that I was perfectly willing to be guided by him with sound advice, and with any good reason, and would co-operate with him to induce Theodore Tilton not to publish his statement, out I would not on such grounds as that stop its publication; Mr. Tracy told me that it would cause me trouble if it was published, and I said that I had done no wrong that I was aware of and did not fear any trouble; I do not remember any reply that Mr. Beecher of June 25; I received it from Mr. Beecher; I do not know whether the document you have just shown me is original, as Mr. Beecher seat the card to the Eagle office without my knowledge; that is his handwriting.

Judge Fullerton then read

West to Beecher so beecher of duty as a member of Plymouth church. I have decided to prefer charges

Rev. H. W. BERGHER:

DEAR SIR—Moved by a sense of duty as a member of Plymouth church, I have decided to prefer charges against Heary O. Bowen and Theodore Thom, and have requested Brother Habiday to call a meeting of the Exampling Commutate in order that I may make the charges before them. annibing Commutee in order that I may make the charges before them.

Thinking that you would perhaps like to be made accumuled with these facts, I called last evening at Mr. Beach's house, where I was miormed that you had returned to Feekskill. I therefore write you by early mail to day. Yours very truy, WilliaM. West.

Judge Fulierton then said he would offer in evidence the original of Mr. Beecher's card to the Eaols.

Judge Folletton then said he would offer in evidence the original of Mr. Beecher's card to the Books.

Mr. Evarts—As we enderstand it that card, which was undertaken to be read is from the Eugle. It appears in evidence that it was altered by the editor. Your Honor will remember, and therefore it was not really Mr. Beecher's card, and was not the original of that. But my recollection is that it relates to the Woodhull article, and this has nothing to do with it.

A discussion then ensued as to whether the document was original or not, and Judge Fullerton concluded by saying, "il you don't want it in we'll leave it out. Mark it, if you please." After some more argument Jadge Fullerton read

EKECHER'S DENIAL

To the Editor of this Brooktyn English.

Sin—in a long and active inc in brooklyn it has rarely happened that the Logic and myself have been in eccord on questions of common concern to our fellow citizena. I am for fulls reason compeled to acknowledge the ansolicited confidence and right of which the columns of the English of late bear restinour. I have just returned to the city to learn that application has been made to Mrs. Victoria Woodhull for letters of mine supposed to contain information respecting certain infamous stories against me. I have no obsecution to have the English site, if any way it deems it, that Mrs. Woodhull, or any other person or persons who may have letters of mine in their possession, have my cordinal consent to publish them. In this connection and at this time I will only add chat the stories and remore which have not some time past been circulated about the are nutried, and I stamb thou in senseral and its particular as atterity and true. Respectually.

Mr. Moniton then continued—The piper I now hold is the statement of Mrs. Tilton to Dr. Storrs.

True. Respectfully. HEARY WARD BENCHAR.

Mr. Moniton then continued—The piper I now
hold is the statement of Mrs. Tilton to Dr. Storrs,
to which I referred when the statement was
made, "If you can stand that you can stand the
whole of it," or words to that effect.

LE Storre—Let to look at this pages. If Total

addressed to any person. At present there was nothing in the testimony to connect this document with Mr. Beecher.

Mr. Fullerton said that the witness had already testified to an interview between Mr. Beecher, Mr. Tilton and himself, in which Tilton read to Beecher a statement, and said to him. "If you can stand that you can stand any part of it." It was referred to in the statement of Dr. Storrs. Mr. Fullerton now produced the original statement from which the statement in question was used in conversation with Dr. Storrs.

Mr. Evarts said his learned friend had stated that a long statement, called the true story, had been prepared, and which was read to Mr. Beecher. They did not have that paper before them, but a certain passage out of it was allowed to be given as a conversation.

Mr. Follerton said that what Mr. Tilton said to Mr. Beecher was, that "there is one thing in that statement which, it you can stand it, you can stand any part of it. Elizabeth states that you solicited her to become a wife to you with all that that word implies;" and Theodore Tilton said to Mr. Beecher, "I will road to you that part of the statement."

Mr. Evarts—Where does this letter come in.

that word implies;" and Theodore Hiton said to Mr. Beecher, "I will road to you that part of the statement."

Mr. Evarts—Where does this letter come in. Give us the witness's statement.

Mr. Pullerton—I do not know where it comes in, out I know that it is there.

The Court thought that it would be better for the present not to offer the paper.

Mr. Fullerton—Well. I will withdraw it under Your Honor's direction.

Mr. Evarts—Counsel has informed us that there was some connection with this paper which was legitimately in evidence, and that that connection was founded on the examination of this witness concerning the true story. That was read, and it was stated that a passage from the true story was called to Mr. Beecher's attention, concerning which he was told that if he could stand any part of it. It was understood that this was an extract from the letter.

Mr. Fullerton—And which you deny.

The Court—I do not find that statement here.

Mr. Evarts—Your Honor did Est permit. You merely raised that the conversation of Mr. Titlon and Mr. Beecher in reference to the statement should be allowed.

Mr. Funerton—We withdraw the paper under the objection.

After Sume discussion between counset Mr. Ful-

the objection.

After some discussion between counsel Mr. Fullerton said—Do you withdraw your objection to the paper?

lerion said—Do you withdraw your objection to the paper?

Mr. Evarts—We do.

Mr. Fullerion—Now, we shall consider the proppriety of offering it in evidence. (Laughter).

The witness then stated that he had another paper in his hand—a letter addressed to him by air. Beecher; he received the letter about the time it bore date.

Mr. Failerton said that this was one of the letters which had been mishald, and, therefore, did not come in in the proper order of proof.

The letter was dated March 25, 1873, and was addressed by Mr. Beecher to Mr. Moulton. It contained a passage to the effect that, "I have found in you one who gives a new meaning to friend-ship."

ship."
The letter was offered in evidence.
Mr. Fulletton—The objection having been withdrawn to the paper which I proposed to read a few moments ago I now read the paper in evidence. MRS. TILTON'S STATEMENT.

In July, 187A prompted by any flux. I informed my husbane that H. W. Beechler, my frame, 18, 1872, husbane that H. W. Beechler, my frame, prison, and solicited me to be a wite-to hum, to refer with prison, the implied, as months afterward nor husband red displication in the continuous and the conspiracy against built my with Mr. Beecher had taken part, to have an interview. In order that Mr. Beecher which Mys. Recener had taken part, to have an interview with Str. Beecher.

In our trainer. B. might know exactly what I had all the trainers to the street of the street

At this stage of the case Mr. Evarts called the teention of the Court and jury to what he termed

attention of the Court and jury to what he termed a change in

THE DATE OF THE DOCUMENT.

Mr. Shearman said it was written the 15th originally and astered to the 16th.

Mr. Evarts observed that it might become a question of the inspection of the paper.

Mr. Fullerton stated that it was the 15th and remained the 15th still. remained the 15th still.
Mr. Everts said the paper would speak for

Mr. Evarts said the paper would speak for itself.

Mr. Fallerton—In that case you ought to have mide no remark on the marter. It there is a point in it you are entitled to its benefit.

The witness went on to say in reply to Mr. Fullerton:—Commencing with December, 1870, and ending with the Investigating Committee of hymouth church,

many times; in a part of 1871 he was at my house once and sometimes twice a day; after I returned from the South he came very frequently which he was in town; sometimes once, sometimes twice a day; in 1872 he same in the morning, he came to the verying.

which is to all the morning, and the come of a day; in 1872 he same in the morning, are came in the evening.

Q. How early in the morning would be come?

A. Somethines

A. Did he visit you at your place of business in New York?

A. Yes.

Q. How frequently did he visit you there?

A. He was not a regular visitor there; he came there whenever

He was not a regular visitor there; he came there whenever

EMERGENCY

demanded that he should vieit me.

Q. When did his visits cease at your house after that? A. He did hot care to see me after the 13th of July, 1674.

A CORRECTION.

Mr. Fullerton—You called my attention to a correction you wanted to make in your testimony? A. Yes; I said I spoke to Mr. Beecher in June, about the 25th of June, in regard to the enarges made against him by Mr. West; it was in the limit cailed Mr. Beecher's attention to those charges.

THE DIRECT EXAMINATION CLOSED.

Mr. Fulletton—That closes the direct examination of Mr. Moniton. From the great number of documents and exhibits to which I have had to cail the attention of the witness it is possible that something may have been unintentionally omitted. H—

The Court—If that is discovered you can correct it, sir.

The Court—If that is discovered you can correct it, sir.

Mr. Evaris called for the original of the paper, which they assented to, the other side reading from Mr. Morris' notes.

Mr. Fullerton—Just state what it was.

Mr. Evarts—The proposed card, known as "the letter of confession." We allowed them to read from Mr. Morris' notes to aid him in his opening.

opening.
Mr. Fullerton-Most certainly, I have seen the

Mr. Fullerton—Most certainly, I have seen the original of that document.

Mr. Everts—That I do not understand.

Mr. Fullerton—Refer to the testimony.

Mr. Evarts—We want to see the original. We have a perfect remembrance of the paper from which Mr. Morris read.

Mr. Fullerton—You are certainly entitled to it if you are quite sure of what you say. There is the paper you have asked for, I think.

The paper was produced.

Mr. Moulton was questioned by Mr. Fullerton in reference to the paper, and said it was the original of the proposed card of Mr. Tilton, published in the Brooklyn Ragie. He and seen it before white being examined on the stand.

Mr. Evarts observed that this was to be substituted for the copy. tuted for the copy.
THE CORRECTION MADE BY THE WITNESS IN HIS

THE CORRECTION MADE BY THE WITNESS IN HIS TESTIMONY.

Mr. Evarts—Counsel will please give me their attention to the correction made by the witness in his testimony. Certain papers were proposed to wit, a summons and copy of the proposed charges or actual charges made by Mr. West, and the witness testified to the conversations that he had with Mr. Beecher concerning those charges; they are set down as part of the conversation. No matter for the rest if it was postponed until after the vacation. But now, upon his correction, there was no such paper in existence, and there was, therefore, he conversation between him and Mr. Beecher about that paper, as of the date which he makes takes place—of coarse it will be allowed, if made—why all the evidence on the subject of the conversations concerning those papers with Mr. Beecher, and which alone makes that evidence permissible, falls through. Now, whether my learned friend is able or expects to recall the matter as evidence all conversations concerning them at a later date, I don't know; but it is nor him and his witness, between them, to determine. But, at present, the correction that is here, it seems to me, strikes out all the evidence coering a supposed conversation with Mr. Beecher regarding those charges. The letter don't contain the charges.

Mr. Fullerton—it certainly must relieve the embarrassment of the witness having latien into such an error about a recent transaction, because he misapprehends the testimony as originally given as well as the correction now made. The correction is thus, that in apeaking of the west papers were provided to the section of the west papers he provided that a paper has a paying beginning of the west papers he provided that a page to the section of the west papers he provided that the section of the west papers he provided that the section is the section of the west papers he provided that the section is the section of the west papers he provided that the section is the section of the west papers he provided that the section is th

Ronor please we can look at this paper during the rocess.

The court then, at one o'clock, took a recess for one hour.

After recess.

The recess was attended with nothing, except considerable pie-eating by spectators. After it was over Mr. Everts immediately buckled Judge Fuller on on the admission of a letter from Mrs. Rition to Dr. Storrs, using the expression, it was said, that Mr. Beecher desired her to be a wife to him in all that the word implied.

Francis D. Moulton was recalled and further examined by Mr. Fullerton on the direct.

Mr. Fullerton odered in evidence the paper which he how showed to the witness.

Mr. Fullerton odered in evidence the paper which he had of December 16, 1872. It is signed by Mrs. Tillon. The paper did not appear to be gadressed to any person. At present there was nothing in the testimony to connect this document with Mr. Seecher.

Mr. Fullerton said that the witness had already testified to an interview between Mr. Beecher, saying that he was going to make charges, was the first one that he was going to make charges, was the first one that he was going to make charges, was the first one that he was with reference to that he had the conversation which he related to the paper, the witness says, and not to the charges, and that the conversation which he related as having taken with the summer, it relates to that paper, the witness says, and not to the charges, and that the conversation which related to the paper, the witness was, and not to the charges, and that the conversation which related to the paper, t

that there never was any such conversation concerning

MR. WEST'S CHARGES
as brought to him by Mr. Tillon.

Mr. Beach—That is not the correction made by the witness.

Mr. Evarts—Therefore, at that time I say what you have got here goes out.

Mr. Fullerton—No.

Mr. Evarts—Yes, if you admit that conversation regarding the coarges made in a paper then presented before them by Mr. Tillon. Now, there was no such paper before them; that no such paper was brought by Mr. Tilton, and that, instead of that, there is a letter not containing charges, but a letter written by Mr. West to Mr. Beecher, which Mr. Beecher brought to Mr. Moulton; now, are you going to put these conversations together? You may take him up and examine him as to want occurred in the fall when the charges were brought to and Mr. Beecher was present. We cannot have a substitution of this testimony as it stands as being any evidence that has been given by this witness in regard either to the letter of West to Beecher in the early summer, because it does not process to relate to it, nor in regard to the charges of West in the tail, because he has not testified that he had such a conversation.

When Mr. Everts mean the noise that Moulton's

When Mr. Evarts made the point that Moulton's correction of his testimony as to the West papers involved an invalidation of all that he had said about it concurrently, Moulton leaned on his fist and looked quietly into the pit where the counse were wranging. He had a scarcely perceptible

smile on his face. The Judge ordered Moulton to be re-examined on the point, and his explanation had the effect of destroying the idea that he had merely testified by rote.

The counsel at this point got a good deal worried, and Mr. Evarts, referring to certain parts of

his testimony as already exploded by the witness, was told by Fullerton that "They were not exploded, sir, as often as you explode." Some of the auditors thought the tactics meant, at this point, to keep the proceedings dragging for the rest of the day, so as to begin the butcher

of Moulton on Tuesday morning. Mr. Tracy smiled and seemed to enjoy the pulk ing and hauling. There was a good deal of unnec

cessary dumb show all through this performance Mr. Fullerton put this question to the witness:ar. Funerton put this question to the witness;state what occurred in the summer vacation with
regard to anything which air. West suggested,
A. I received a letter, of June 25, from Mr. Beecher
of Mr. West's, and we talked of these charges, and
he wanted that matter to go over the summer vacation; he said he could then find a way of dealing
with it: I saw him in the fall, but that was in reference to the letter.

Mr. Bullerton, The Letter, threatening the Mr. Fullerton-The letter threatening the

Mr. Fulletten—The letter threatening the charges?
Witness—Yes.
Q. What occurred in the fall in regard to the charges? A. In the fall the charges of Mr. West were made, and the paper that I have seen here in court was brought to us by Mr. Titton, and I saw Mr. Titton and Mr. Beecher together, and it was decided what should be the reply; Titton said, "n will claim non-membership, and this will prevent me from being cited before the church;" and he did read a letter and sent it to Mr. Talmage, and then Mr. Beecher, in my presence, said subsequently, "Theodore, God Inspired you to write that letter;" we all seemed to know the nature of the charges, and therefore there was no discussion about them; I never beard of but one set of charges made by Mr. West.

THE CEOSS-EXAMINATION.

THE CROSS-EXAMINATION.

Porter stood up at three o'clock and balauced himself against the back of a titted chair with his hands. It was his first appearance of any moment. Judge Porter's naturally stately and pedagogue look was expanded for the occasion. He carried all the port and pomp of a college president, in moned for an offence as yet mysterious and un-

He was all black up to the collar, stock included The standing collar contained a hawkish kind of head, the nose beaked, the brow high, with efebrows outlining the skull and the high forehead often wrinkling in twenty creases as he wiped his eyes to stare more intensely. Between the beaked nose and the sharp, advanced chip, a jet black mustache increased the Gallic appearance of the face, and the black hair was the only hirsute appendage except the mustache. He had a way of distending his large, severe eyes, and almost inverting them as to give a deep inquisitorial vocal solemnity to the expression. At such times the rather comely and sinting face we had been looking into be came eccentric and elo

He read Mr. Beecher's letters to Moulton as pealing for the return of his letters in a quavering, interpreting voice, as if he were Mr. Beecher himself, and deeply moved with Moulton's unex-pected behavior. The somewhat extravagant effort of the Judge apparently gave himself some of the nervousness he designed to communicate to the witness. All his questions were deeply inflected, and when he was in the height of the velocity and rhetoric of this inquiry Tracy frequently arose be nind him, a head taller, and could be heard to say, "Ask him -..." By Tracy, Hill and Shear man were dankers, all very auxious. Evarts, at Percer's elbow, kept his head down like a novice expecting a great gun to be presently fired, and looked up into Mouiton's face with a mixture of awe and joy. All the Plymouth party looked up The counsel for the defence huddled together and scarcely consulted at all. Tilton sat back beside Mr. Evarts and watched the performance with some

Moulton met Judge Porter's onset with the utmost coolness. He answered alternately prompt and considerately, often exhausting the effect o some deep and sonorous dramatic sentence by asking it to be repeated, and he parried the question whether he had ever suffered wrong at Beecher's hands by saying, "No, except when he asked me to he for him."

The first question, which was raised against Moulton, came slow and dry from the hips of the

What is your age, Mr. Moulton ?" Another quarrel between counsel began, and for a while put of Mr. Porter. But it was now ap parent that the work of devastating Moulton was to begin at once, and, if possible, discredit to be thrown upon him in the first few paragraphs. Moniton stroked the crown of his head and looked astutely under his eyebrows, without a trace of apprehension. The cross-examination then pro

Q. How old are you? A. I was thirty-signt years of age last July.
Q. What is your business? A. I am member of the firm of woodruf & Robinson.
Q. What are your duties? A. My duties have been the care of the merchandise and atorage departments; I am now in the merchandise department.

ment.
Q. Are you now a partner in that firm? A. I am a partner in the concern; I ceased to be a general partner on the 1st of January, if you mean by merchandise and storage to express general partnership.
Q. What was the duration of your partnership—was not for a was it limited? A. My partnership was not for a was it limited? A. My partnership was not for a concern.

O. What was the duration of your partnership—
was it limited? A. My partnership was not for a
limited term; it was of indefinite duration; the
time of its auration is still unfinited.

Q. Now, Mr. Moniton, Mr. Tilton in his communications during this controversy takes frequent
occasion to speak of you as the "Mutual Friend."
What adea he mean to imply thereby? Were you
an intimate friend of his? A. I was the friend of
both Mr. Pilton and Mr. Beecher.

Q. A. what era did your riendship have its inception for Mr. Beecher? When did you first become intimately acquainted with him? A. It was
on the 20th December, 1870.

Q. And that friendship terminated when you refused to inraish him with access to make copies
of the papers which he had piaced in your hands
for safe keeping? A. I did not deny him the
papers.

papers.

O. How long was it after Mr. Beecher made ap-

O. How long was it after Mr. Beecher made application to you lor copies of the papers which he had placed in your keeping, and which you relieved, that your irricaship terminated? A. I did not decline to turnish him with copies; I wrote a note to his counsel. Mr. Tracy, in answer to a note sent by him to me; Mr. Tracy came with it to my omec.

Q. Did you not say that you denied him access to those papers? A. I don't understand that I denied him access to the papers given into my lands; I am tware that as dewired me to furnish